

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:02cr190-2 &-3**

**UNITED STATES OF AMERICA,**

**Vs.**

**TOBIAS MARTINEZ; and  
JOSE MARTINEZ,**

**Defendants.**

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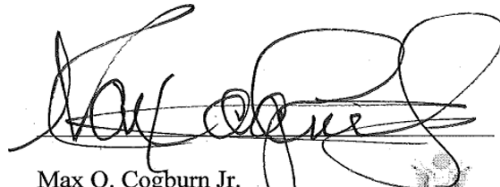
**ORDER**

**THIS MATTER** is before the court on the government's Motion to Dismiss. Having considered the government's motion and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the government's Motion to Dismiss (#209) is **GRANTED**, and the indictment in this case is dismissed without prejudice as to the above named defendants.

Signed: September 15, 2011

  
Max O. Cogburn Jr.  
United States District Judge